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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

*IN RE PACIFIC FERTILITY CENTER  
LITIGATION*

This Document Relates to All Cases

Master Case No. 3:18-cv-01586-JSC

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER EXTENDING  
DEADLINE TO COMPLETE PUNITIVE  
DAMAGES DISCOVERY**

Pursuant to Civil Local Rules 6-2, 7-3, and 7-12, Plaintiffs and Defendant Chart Inc., by and through their respective counsel, respectfully submit this Stipulation and [Proposed] Order extending the deadline to complete punitive damage discovery:

WHEREAS, Plaintiff propounded requests for production of documents and a Rule 30(b)(6) deposition notice following the conclusion of the first trial directed towards issues relevant to Plaintiffs' claim for punitive damages (Polk Decl., ¶ 2);

WHEREAS, on September 23, 2021, after the submission of a joint discovery letter brief, the Court entered an Order granting Plaintiffs' requests for discovery regarding: (1) Chart's officer, director, and managing agent's knowledge of the TEC3000 controller failures; and (2) Chart Inc.'s financial condition (Dkt. No. 949);

WHEREAS, on December 7, 2021, the Court ordered that punitive damages discovery (which consists of requests for production and a Rule 30(b)(6) deposition) "shall be completed by the end of March 2022" (Dkt. No. 1011);

WHEREAS, since December 7, the parties have engaged in settlement discussions (Polk Decl., ¶ 5);

WHEREAS, the Parties conferred on February 9, 2022, and agreed, subject to Court approval as follows:

- (1) Chart will respond to Plaintiffs' punitive damages related requests for production on March 9, 2022; and
- (2) Chart will produce two Rule 30(b)(6) witnesses to testify in response to Plaintiffs' punitive damages related Rule 30(b)(6) deposition notice on or before April 15, 2022 (Polk Decl., ¶ 6);

WHEREAS, the Parties agreed that there would be no further requested extension of the punitive damages discovery deadlines (Polk Decl., ¶ 7);

NOW THEREFORE, the Parties through their respective counsel and subject to the Court's approval hereby stipulate as follows:

- (1) Chart will respond to Plaintiffs' punitive damages related requests for production on March 9, 2022; and
- (2) Chart will produce two Rule 30(b)(6) witnesses to testify in response to Plaintiffs' punitive damages related Rule 30(b)(6) deposition notice on or before April 15, 2022.

**IT IS SO STIPULATED.**

Respectfully submitted,

Dated: February 10, 2022

By: /s/ Adam E. Polk  
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Dated: February 10, 2022

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Dated: February 10, 2022

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Dated: February 10, 2022

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**FILER'S ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Adam E. Polk attest that  
concurrence in the filing of this document has been obtained.

By: /s/ Adam E. Polk

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2  
3 Dated: February 11, 2022

  
HON. JACQUELINE S. CORLEY  
United States Magistrate Judge